

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: JERUSSI *et al.*

Application No.: To be assigned (Division of
U.S. Application No. 10/222,815, filed 8/19/02)

Group Art Unit: To be assigned

Filed: Herewith

Examiner: To be assigned

For: DERIVATIVES OF (-)- AND (+)-
VENLAFAXINE AND METHODS OF
PREPARING AND USING THE SAME
(As amended)

Attorney Docket No.: 4821-536-999

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Applicants' duty of disclosure under 37 C.F.R. § 1.56, enclosed is a list of forty four (44) references for the Examiner's review and consideration. These references are listed on the enclosed Form PTO-1449 entitled "List of References Cited by Applicant." These references (AA-BR) are listed in reverse-chronological or alphabetical order. Copies of these references, with the exception of references AA, AL, AR and AS, are not enclosed as the copies were submitted in connection with U.S. Application Nos. 10/222,815, 09/409,889 and 09/450,690, which are the parent and grandparent of this application. Copies will be provided, however, upon the Examiner's request. Copies of references AA, AL, AR and AS are enclosed herewith.


Identification of the foregoing references is not to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since that form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited."

Applicants respectfully request that the Examiner review the references and make them of record by completing and returning the enclosed List of References.

No fee is believed to be due for the submission of this statement as this statement is submitted prior to first office action on the merits. If any fees are required, however, please charge the required fees to Jones Day Deposit Account No. 503013.

Respectfully submitted,

Date March 23, 2004



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Enclosures

LIST OF REFERENCES CITED BY APPLICANT*(Use several sheets if necessary)*

ATTY. DOCKET NO.

4821-536

APPLICATION NO.

To be assigned

APPLICANT

JERUSSI et al.

FILING DATE

Herewith

GROUP

To be assigned

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|----|-----------------|---------|-------------------|-------|----------|-------------------------------|
| | AA | 6,673,838 | 01/2004 | Hadfield et al. | | | |
| | AB | 5,788,986 | 08/1998 | Dodman | | | |
| | AC | 5,733,566 | 02/1998 | Lewis | | | |
| | AD | 5,674,533 | 10/1997 | Santus et al. | | | |
| | AE | 5,639,476 | 06/1997 | Oshlack et al. | | | |
| | AF | 5,591,767 | 01/1997 | Mohr et al. | | | |
| | AG | 5,354,556 | 10/1994 | Sparks et al. | | | |
| | AH | 5,120,548 | 06/1992 | McClelland et al. | | | |
| | AI | 5,073,543 | 12/1991 | Marshall et al. | | | |
| | AJ | 5,059,595 | 10/1991 | Le Grazie | | | |
| | AK | 4,761,501 | 08/1988 | Husbands et al. | | | |
| | AL | 4,535,186 | 08/1985 | Husbands et al. | | | |
| | AM | 4,008,719 | 02/1977 | Theeuwes et al. | | | |
| | AN | 3,916,899 | 11/1975 | Theeuwes et al. | | | |
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| | AQ | 3,536,809 | 10/1970 | Applezweig | | | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|----|-----------------|---------|---------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | AR | WO 00/59851 | 10/2000 | PCT | | | | |
| | AS | WO 00/32555 | 06/2000 | PCT | | | | |
| | AT | WO 94/00047 | 01/1994 | PCT | | | | |
| | AU | WO 94/00114 | 01/1994 | PCT | | | | |

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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| | AW | Castello, R.A., and Mattocks, A.M., J. Phram. Sci. 51(2):106-108 (1962) |
| | AX | Handbook of Pharmaceutical Excipients, 2 nd ed., Wade and Willer eds., pp. 257-259 (1994) |
| | AY | Haskins et al., DMI, Wy-45,030, Wy-45,881 and Ciramadol Inhibit Locus Coeruleus Neuronal Activity, European Journal of Pharmacology, 115 (1985), pp. 139-146. |
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| | BB | Moyer et al., <i>Subsensitivity of the Beta-Adrenergic Receptor-Linked Adenylate Cyclase System of Rat Pineal Gland Following Repeated Treatment with Desmethylinipramine and Nialamide</i> , Molecular Pharmacology, 19:187-193, 1981. |
| | BC | Moyer et al., <i>In Vivo Antidepressant Profiles of the Novel Bicyclic Compounds Wy-45,030 and Wy-45,881</i> , Abstracts Society for Neuroscience, October 1984, pg. 261. |
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| | BF | Pento, J.T., <i>Drugs of the Future</i> , 13(9):839-840 (1988) |
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| EXAMINER | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |